

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

RUTH SMITH, Individually and as Widow for the Use and Benefit of Herself and the Next of Kin of RICHARD SMITH, Deceased,)	
)	
)	Case #: 3:05-00444
Plaintiff,)	Judge Trauger
)	
vs.)	
)	
PFIZER INC., PARKE-DAVIS, a division of Warner-Lambert Company and Warner-Lambert Company LLC, WARNER-LAMBERT COMPANY, WARNER-LAMBERT COMPANY LLC and JOHN DOE(S) 1-10,)	
)	
Defendants.)	

**PLAINTIFF'S MOTION FOR LEAVE TO DEPART FROM LOCAL RULE
39.1(c)(6)(c) AND PRACTICE AND PROCEDURE MANUAL RULE II(F)
REGARDING TRIAL TESTIMONY OF EXPERT AND CHARACTER WITNESSES**

Plaintiff Ruth Smith, as the Widow for the use and benefit of herself and the next of kin of Richard Smith, deceased, by and through her attorneys, hereby moves this Court for an order allowing Plaintiff to depart from Local Rule 39.01(c)(6)(c) and this Court's Practice and Procedure Manual Rule II(F) regarding trial testimony of expert and character witnesses due to the complex nature of this case and the voluminous expert reports and complex expert testimony that incorporate and form the very bases of the opinions of the expert witnesses in this case.

This motion is supported by the Memorandum filed herewith.

Dated: March 26, 2010

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this the 26th day of March, 2010, I electronically filed the foregoing document with the Clerk of the Court, United States District Court for the Middle District of Tennessee, using the CM/ECF system. True and correct copies of the foregoing documents are being served via the Court's CM/ECF system on the following:

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